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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,001	02/09/2004	Juergen Schreiner	FA/258A	9086
28596	7590	08/01/2006	EXAMINER	
GORE ENTERPRISE HOLDINGS, INC.			DUNWOODY, AARON M	
551 PAPER MILL ROAD			ART UNIT	
P. O. BOX 9206			PAPER NUMBER	
NEWARK, DE 19714-9206			3679	

DATE MAILED: 08/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/776,001	<b>Applicant(s)</b> SCHREINER ET AL.	
	<b>Examiner</b> Aaron M. Dunwoody	<b>Art Unit</b> 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/16/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The information disclosure statement (IDS) filed 12/16/2006 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claim 1, there is an inconsistency between the language in the preamble and certain portions in the body of the claim, thereby making the scope of the claim unclear. The preamble in claim clearly indicates that a subcombination is being claimed, e.g., "a connector assembly for connecting an inflatable article". This language would lead the examiner to believe that the applicant intends to claim only the subcombination of "a connector assembly" the inflatable article being only functionally recited. This presents no problem as long as the body of the claim also refers to the functionally, such as, "for connecting the inflatable article."

The problem arises when the is positively recited within the body of the claim, such as, "insertable into the inflatable article." There is an inconsistency within the claim; the preamble indicates subcombination, while in at least one instance in the body

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of the claim there is a positive recital of structure indicating that the combination of a and a are being claimed. The examiner cannot be sure if applicant's intent is to claim merely the connector assembly or the connector assembly in combination with the inflatable article.

Applicant is required to clarify what the claims are intended to be drawn to, i.e., either the connector assembly alone or the combination of the connector assembly and the inflatable article. Applicant should make the language of the claim consistent with applicant's intent. In formulating a rejection on the merits, the examiner is considering that the claims are drawn to the combination and the claims will be rejected accordingly. If applicant indicates by amendment that the combination claim is the intention, the language in the preamble should be made consistent with the language in the body of the claims. If the intent is to claim the subcombination, then the body of the claims must be amended to remove positive recitation of the combination.

Claims 5 and 6 appear to define the claimed invention of a connector assembly in terms of the non-claimed but functional limitation of an inflatable article.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 2180960, Kennedy in view of US patent 5649860, Giuffrida.

In regards to claim 1, Kennedy discloses a connector assembly for connecting an, the assembly comprising:

a semi-rigid, hollow connector housing (10) having a first, generally tubular, insertable section, insertable into the inflatable article through an opening in a flexible wall of the inflatable article, and a second external section extending oppositely from the insertable section and outwardly from the flexible wall upon insertion, the external section and the insertable section being connected, the two sections providing a continuous air passageway therethrough into the inflatable article upon insertion therein, the passageway extending from an external opening in the external section and being removably connectable thereat to the source of inflation fluid, through the connector assembly, and into the inflatable article, wherein the insertable section has an external circumferential groove therearound which, upon insertion into and through the wall opening, is secured thereat by an elastic washer positioned immediately adjacent to and concentric with the wall opening, the washer being press-fit into the groove, the washer providing a seal at the wall opening, thereby sealing off leakage of fluid to or from the inflatable article and confining fluid passage to and through the passageway, thereby providing, when assembled, a low-profile pathway for fluid communication from the external source into the inflatable article through a wall opening thereof.

Kennedy does not disclose a pressure relief valve.

Giuggrida teaches a pressure relief valve (40) to vary the passage section of the fluid through the connector assembly as the difference in pressure between the inside of the hollow body and the outside varies (col.2, lines 12-15). As Giuggrida relates to a

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duct with outlets for delivering a conveyed fluid, it would have been obvious to one having ordinary skill in the art at the time the invention was made to fabricate the connector assembly with a pressure relief valve to vary the passage section of the fluid through the connector assembly as the difference in pressure between the inside of the hollow body and the outside varies, as taught by Giuggrida.

**Note, the inflatable article and inflation source are not part of the claimed invention.**

In regards to claim 2, Kennedy discloses a seal effective to a pressure gradient of at least 70 mbar.

In regards to claim 3, Kennedy discloses a seal effective to a pressure gradient of at least 200 mbar.

In regards to claim 4, Kennedy discloses the housing and insertable section being integrally formed into a unitary construction.

In regards to claim 5, as best understood, Kennedy discloses the insertable has an internal end within an inflatable article and the washer is press-fit over the internal end onto the insertable section.

**Note, the inflatable article and inflation source are not part of the claimed invention.**

In regards to claim 6, as best understood, Kennedy discloses the washer is positioned adjacent to an internal wall of the inflatable article.

**Note, the inflatable article and inflation source are not part of the claimed invention.**

### ***Response to Arguments***

Applicant's arguments filed 5/24/2006 have been fully considered but they are not persuasive.

Applicant argues Kennedy does not disclose a semi-rigid, hollow connector housing having a first, generally tubular, insertable section, insertable into the inflatable article through an opening in a flexible wall of the inflatable article. The Examiner disagrees. In Figures 1-3, Kennedy clearly illustrates a semi-rigid, hollow connector housing (10) having a first, generally tubular, insertable section, capable of being inserted into the inflatable article through an opening in a flexible wall of the inflatable article.

Further, the inflatable article is not considered part of the claimed invention.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M. Dunwoody whose telephone number is 571-272-7080. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Aaron M Dunwoody  
Primary Examiner  
Art Unit 3679

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